

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 137 OF 2026

IN THE MATTER BETWEEN:

AAKASH RANISON

...APPLICANT

VERSUS

CENTRAL POLLUTION CONTROL BOARD (CPCB) & ORS

...RESPONDENTS

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M/S CHITTRANJAN, SHAH,
KAY LEGAL & ASSOCIATES LLP
ADVOCATE FOR RESPONDENT NO. 12



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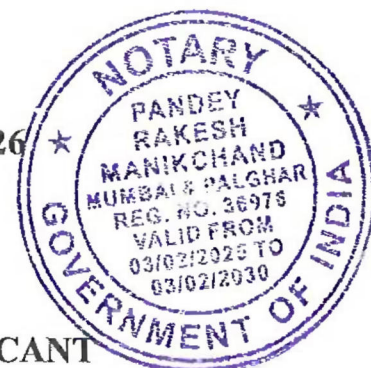
...RESPONDENTS

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 12

(CERES FOODS PVT LTD)

I, Mr. Deb Shankar Mukherjee, Adult, Indian Inhabitant, Director and Authorized Representative of Respondent No. 12, namely Ceres Foods Private Limited, having office at 4A, 4th Floor, Clan House, Jyoti Heights, 161A, Hemu Kalani Marg, Chembur, Mumbai, Maharashtra - 400071, do hereby solemnly affirm and state as under:

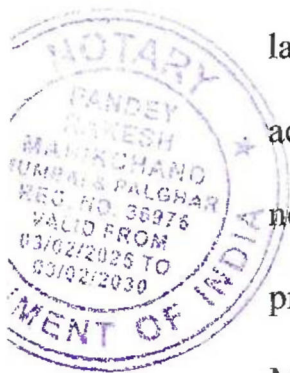
1. At the outset, I say and submit that the present Original Application is wholly misconceived, not maintainable either in law or on facts, devoid of material particulars, unsupported by any cogent scientific or technical evidence against the present Respondent, and liable to be dismissed insofar as Respondent No. 12 is concerned. The Applicant has sought to raise broad and generalized policy concerns pertaining to plastic waste



management and the alleged desirability of introducing “tethered caps” for beverage containers without disclosing any specific act, omission, statutory breach, environmental damage, or non-compliance attributable to Respondent No. 12.

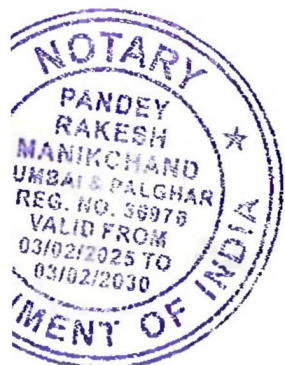
2. I say that the Respondent No. 12, has been arrayed as a party in a mechanical and omnibus manner along with several other companies without any individualized assessment, factual foundation, or specific allegations establishing any direct nexus between the Respondent and the alleged environmental concerns raised in the Application. The Application proceeds entirely on generalized assumptions and speculative assertions and does not disclose any cause of action whatsoever against Respondent No. 12. That the Applicant has failed to even ascertain the nature of products manufactured and marketed by Respondent No. 12, which admittedly does not manufacture, distribute, or sell beverages packaged in plastic bottles forming the subject matter of the present proceedings.

3. I say that Respondent No. 12 is a responsible corporate entity engaged in lawful business operations and is carrying on its activities strictly in accordance with applicable laws, statutory permissions, environmental norms, and regulatory compliances. The Respondent complies with the provisions of the Environment (Protection) Act, 1986, the Plastic Waste Management Rules, 2016, as amended from time to time, and all



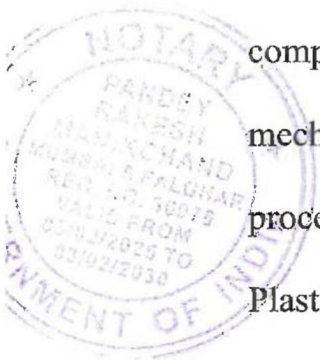
applicable notifications, circulars, guidelines, advisories, and directions issued by the Central Pollution Control Board, State Pollution Control Authorities, and other competent regulatory authorities.

4. It is respectfully submitted that Respondent No. 12 has been erroneously, arbitrarily, and mechanically dragged into the array of parties without any diligence, inspection, or preliminary evaluation of the company's manufacturing activities. The entire core of the present Original Application rests upon a very precise and targeted environmental grievance: the visible littering, low recovery rates, and microplastic generation stemming specifically from non-tethered plastic bottle caps used in mass-market packaged drinking water and retail liquid beverage bottles.
5. The Respondent No. 12, namely M/s Ceres Foods Private Limited, is fundamentally a packaged food manufacturing entity. The company operates in the culinary sector, producing premium ready to use cooking pastes, gourmet stir fry sauces, and specialized food preparations under its institutional brand name Moiso.
6. It is most respectfully submitted that the Respondent No. 12, does not manufacture, package, bottle, or distribute retail mineral water, carbonated soft drinks, juices, or any format of single use mass transit liquid beverages. Consequently, grouping a specialty culinary cooking brand alongside multinational beverage giants and carbonated soft drink



conglomerates constitutes a severe case of misjoinder of parties, lacking any operational nexus.

7. The structural mechanism of plastic leakage highlighted by the Applicant which relies on high mobility, low individual weight, and low bulk to value ratio items being discarded during transit does not apply to Respondent No. 12. Our premium culinary condiments are distributed in wide mouthed kitchen storage containers meant for semi permanent domestic deployment. They are structurally isolated from the casual street littering and marine drainage accumulation patterns identified in the Applicant's coastal audits
8. I say that the Respondent is fully conscious of environmental obligations and sustainability considerations and has been complying with all applicable Extended Producer Responsibility (EPR) obligations under the prevailing statutory framework. The Respondent undertakes necessary compliances through authorized and legally recognized channels and mechanisms as prescribed under applicable law. It is submitted that no proceedings, findings, or determinations of non-compliance under the Plastic Waste Management Rules, 2016 have been brought on record against the present Respondent.
9. I say that the Respondent has obtained and maintains all necessary registrations and compliances as may be applicable under the Plastic Waste Management Rules, 2016 and the Extended Producer



Responsibility framework. The Respondent undertakes periodic compliances through legally recognized mechanisms and authorized channels in accordance with the prevailing regulatory framework. It is submitted that no adverse order, finding, or determination of violation under the applicable EPR framework has been passed against the present Respondent by any competent authority.

10. I say that there exists no statutory provision, notification, rule, regulation, binding guideline, or mandatory regulatory requirement under the prevailing laws in India mandating compulsory use of tethered caps for beverage bottles or food-grade packaging containers. In absence of any such statutory mandate, no adverse inference, liability, penal consequence, or regulatory default can be attributed to the present Respondent for adopting packaging systems and bottle closure mechanisms that are otherwise lawful and permissible under the existing regulatory framework.

11. I say that the Applicant has failed to place on record any material particulars demonstrating that Respondent No. 12 has violated any environmental norm, EPR obligation, recycling target, consent condition, statutory standard, packaging regulation, or any provision of the Plastic Waste Management Rules, 2016.

12. I say that the Application does not identify any specific product, packaging format, cap design, quantity, environmental incident, pollution



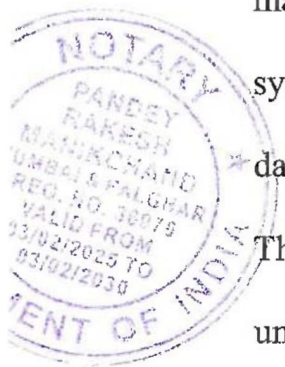
event, inspection report, statutory notice, environmental audit, scientific study, or regulatory finding attributable to Respondent No. 12. No material has been produced to establish any direct or proximate causal connection between the Respondent and the alleged environmental concerns narrated in the Application.

13. I say that the Applicant has merely relied upon broad environmental assertions, generalized references to plastic pollution, and certain foreign regulatory developments without establishing any actionable legal claim against the present Respondent. Such generalized allegations cannot form the basis for fastening environmental liability upon an individual entity in absence of factual pleadings, scientific evidence, and statutory breach.

14. I say that the Applicant has also failed to place on record any scientific material establishing that the present Respondent's products, packaging systems, or operations are responsible for any measurable environmental damage, plastic leakage, marine pollution, or statutory non-compliance.

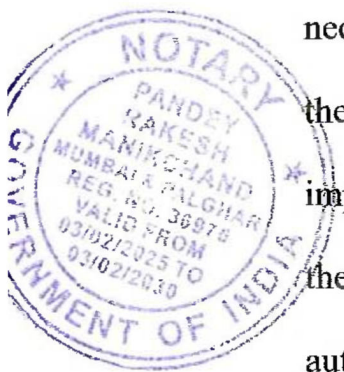
The allegations made in the Application are entirely generic and unsupported by any evidence qua Respondent No. 12. In fact, no material whatsoever has been produced to demonstrate that Respondent No. 12 manufactures or uses plastic beverage bottles forming the basis of the present Application.

15. I say that environmental jurisprudence, including application of the precautionary principle and polluter pays principle, cannot be invoked in



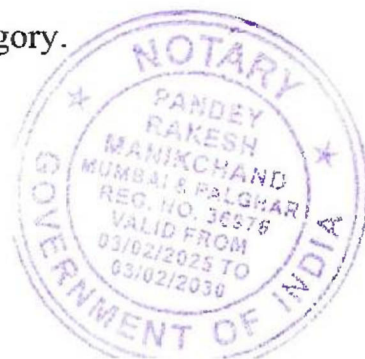
an abstract or mechanical manner without establishing foundational facts, identifiable environmental harm, and a demonstrable nexus between the alleged damage and the concerned entity. The present Application fails to satisfy such foundational requirements insofar as Respondent No. 12 is concerned.

16. I say that the Hon'ble Supreme Court in *Vellore Citizens Welfare Forum versus Union of India* has recognized the precautionary principle as part of environmental law; however, the application of such principle necessarily requires scientific material, technical evidence, and identifiable environmental risk. In the present case, the Applicant has failed to place any such material on record against the present Respondent.
17. I say that in *A.P. Pollution Control Board versus Prof. M.V. Nayudu*, the Hon'ble Supreme Court has specifically observed that complex scientific and technical issues are best examined by expert bodies possessing necessary expertise and institutional competence. The issue involved in the present proceedings concerning mandatory tethered cap implementation is inherently technical and regulatory in nature and therefore falls within the jurisdictional domain of expert statutory authorities.
18. I say that the Hon'ble Supreme Court in *Sterlite Industries (India) Ltd. versus Union of India* has emphasized that environmental liability and regulatory action must be based upon established violations, factual

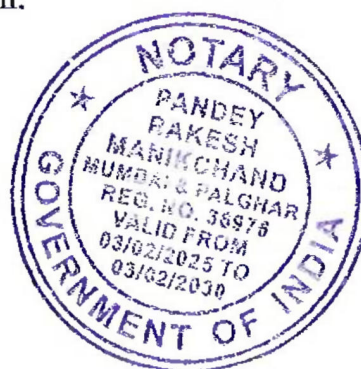


analysis, and balancing of environmental concerns with industrial, technical, and economic realities. In the present case, no violation whatsoever has been alleged or established against Respondent No. 12.

19. I say that the present Application effectively seeks judicial formulation and implementation of a nationwide product design and packaging policy. Such legislative and regulatory functions cannot ordinarily be substituted through judicial directions in absence of any existing statutory mandate, identified illegality, or demonstrated regulatory failure attributable to the present Respondent.
20. I say that the packaging formats adopted by manufacturers are also governed by food safety considerations, quality assurance protocols, transportation requirements, consumer usability, leakage prevention, preservation standards, and compatibility with existing filling and sealing infrastructure. Any modification in packaging architecture necessarily requires detailed scientific evaluation and regulatory approval.
21. I say that the allegations regarding environmental pollution allegedly caused by bottle caps are vague, generalized, and unsupported by any specific material linking the present Respondent to any environmental damage. The present Application proceeds on assumptions applicable to plastic beverage bottle manufacturers, whereas Respondent No. 12 admittedly does not fall within such category.



22. I say that the Applicant has failed to disclose any substantial question relating to environment arising from any act or omission attributable to Respondent No. 12 so as to invoke the jurisdiction of this Hon'ble Tribunal under Sections 14 and 15 of the National Green Tribunal Act, 2010 against the present Respondent.
23. I say that the present Application, insofar as it concerns Respondent No. 12, is speculative in nature and amounts to an abuse of process of law. The Applicant has sought blanket and omnibus directions against several entities without undertaking any individualized technical, scientific, or factual assessment.
24. Without prejudice to the rights and contentions of the present Respondent, it is submitted that the Respondent remains willing to participate in any industry consultation, stakeholder interaction, technical deliberation, or regulatory process that may be undertaken by the competent statutory authorities in accordance with law concerning packaging standards, sustainability measures, and plastic waste management policies.
25. Save and except what is specifically admitted hereinabove, all allegations, averments, submissions, statements, contentions, and assertions made in the Original Application are denied. The Applicant is put to strict proof of each and every allegation made therein.

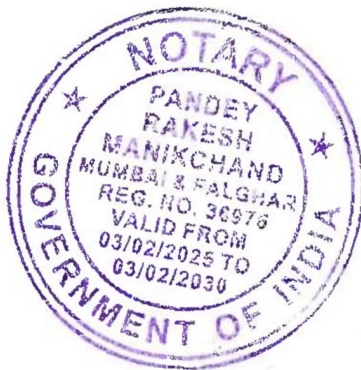


In the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- A. Dismiss the present Original Application qua Respondent No. 12;
- B. Discharge Respondent No. 12 from the array of parties in the present proceedings;
- C. Decline grant of any coercive, adverse, penal, or interim relief against Respondent No. 12; and
- D. Pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice.


ADVOCATE FOR RESPONDENT NO. 12
M/S CHITTRANJAN, SHAH,
KAY LEGAL & ASSOCIATES LLP


RESPONDENT NO. 12
CERES FOODS PVT LTD



VERIFICATION

I, Mr. Deb Shankar Mukherjee, Adult, Indian Inhabitant, Director and Authorized Representative of Respondent No. 12, namely Ceres Foods Private Limited, having office at 4A, 4th Floor, Clan House, Jyoti Heights, 161A, Hemu Kalani Marg, Chembur, Mumbai, Maharashtra - 400071, do hereby solemnly declare that whatever stated hereinabove is true and correct to the best of knowledge and belief and I believe the same to be true and correct.

Solemnly affirmed and declared)

On this 20th day of May, 2026)

Before me,



Advocate for Respondent No. 12

ADVOCATE FOR RESPONDENT NO. 12

M/S CHITTRANJAN, SHAH,

KAY LEGAL & ASSOCIATES LLP

213, 2nd Floor, Maker Bhavan - 1,

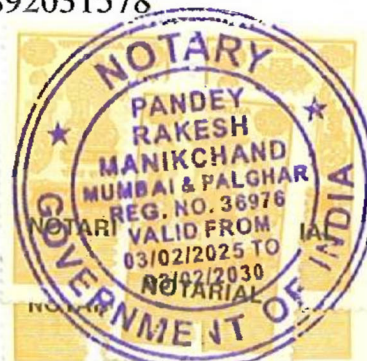
Sir Vitthaladas Thackersey Marg,

Marine Lines, Mumbai - 400020

Tel: 022-40027313 +91 9892031578

Email: info@kaylegal.in

MAH-LF: 1030/2025



RESPONDENT NO. 12

CERES FOODS PVT LTD

BEFORE ME

P. R. Pandey
20/05/2026

PANDEY RAKESH MANIKCHAND
ADVOCATE & NOTARY
(GOVT. OF INDIA)
MUMBAI & PALGHAR

NOTED & REGISTERED

Page No...23...Book No...08...

Sr. No...964...Date...20/5/26

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF CERES FOODS PRIVATE LIMITED., HELD ON 09th February 2026 AT THE REGISTERED OFFICE OF THE COMPANY AT OFFICE NO. 4A, 4TH FLOOR, CLAN HOUSE, PLOT NO 161A, HEMU KALANI MARG, SINDHI SOCIETY, CHEMBUR, MUMBAI - 400071, MAHARASHTRA, INDIA

"RESOLVED THAT pursuant to the provisions of the Companies Act, 2013 and other applicable laws, if any, consent of the Board be and is hereby accorded to authorize Mr. Deb Shankar Mukherjee and Mr. Amit Dharmshi Mange to represent and act for and on behalf of the Company in all legal matters and proceedings.

RESOLVED FURTHER THAT the aforesaid authorized representatives be and are hereby empowered jointly and/or severally to:

1. Represent the Company before any Court, Tribunal, including the National Green Tribunal, statutory authority, quasi-judicial authority, government department, police authority, regulatory authority or any other forum;
2. Sign, verify and file petitions, applications, appeals, replies, affidavits, vakalatnama, written statements, written submissions, pleadings, undertakings, declarations and any other documents as may be required;
3. Engage, appoint and instruct advocates, solicitors, legal counsel and other professionals and to execute vakalatnama in their favour;
4. Appear before such authorities, give statements, produce records, submit documents and represent the Company during hearings;



5. Do all such acts, deeds and things as may be necessary or incidental for effectively representing and protecting the interests of the Company in connection with any legal proceedings.

RESOLVED FURTHER THAT any actions already taken by the above authorized representatives in connection with legal matters of the Company be and are hereby ratified and confirmed.

RESOLVED FURTHER THAT a certified true copy of this resolution be provided to any authority as may be required."

Certified True Copy

For Ceres Foods Private Limited

Director

Name: Deb Shankar Mukherjee

DIN: 06479320

Date: 25/02/2026

Place: Mumbai

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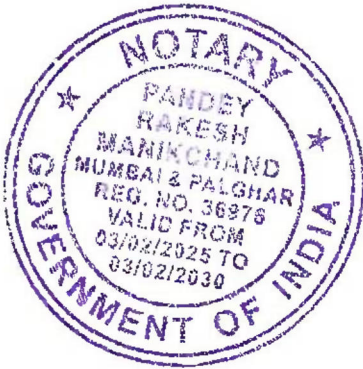
CENTRAL POLLUTION CONTROL BOARD (CPCB) & ORS

...RESPONDENTS

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 12

(CERES FOODS PVT LTD)

DATED THIS 20th DAY OF MAY 2026



M/S CHITTRANJAN, SHAH,
KAY LEGAL & ASSOCIATES LLP
ADVOCATE FOR RESPONDENT NO. 12

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